IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1079 OF 2007

Shri.Damaji Changa Shivkar
and thirty others ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.A.P.Mundargi Senior Advocate with
Mr.Amol Patankar for Applicants
Mr.V.B.Konde-Deshmukh A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 17, 2007

P.C.

1. Heard Mr.Mundargi, the learned senior advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in C.R.No.27 of 2007 of New Panvel Police Station, Dist.Raigad. The said case is manly under Section 392 of IPC.

3. The present applicants and complainant belong to rival political parties. On the date of is incident, there was election. On account of

election, two separate C.Rs. came to be registered in relation to two separate incidents. In the present C.R. applicants are accused and in the other C.R. the complainant is an accused.

4. According to the prosecution case, in the present case, the total value of the property involved is Rs.1,04,000/-. The learned A.P.P. on instructions, states that if the said amount is deposited with the I.O. then the custody of the applicants would not be necessary. Mr.Mundargi on instructions states that the said amount will be deposited with the I.O. by 30.4.2007. The said statement is accepted. In this view of the matter, I am inclined to grant anticipatory bail to the applicants.

5. In the event of arrest, each of the applicants to be released on bail in the sum of Rs.10,000/- (Rs.ten thousand only) with one or two sureties to make up the said amount in C.R.No.27 of 2007 of New Panvel Police Station, Panvel, Dist.Raigad. The applicants shall report to the concerned Police Station twice in a week for a period of four weeks and thereafter, as and when required till the

conclusion of trial.

6. It is made clear that the said amount of Rs.1,04,000/- is not deposited by the said date, this order shall stand automatically cancelled and the applicants may be taken into custody. It is further clarified that depositing the said amount by these accused persons does not in any way mean they admit their guilt nor does it indicate that they are involved in this matter in any manner. The trial Court shall pass appropriate orders in respect of the amount of Rs.1,04,000/- at the end of the trial.

7. Application is disposed of.

[Smt. V.K.Tahilramani, J.]